

House File 538 - Reprinted

HOUSE FILE 538
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 174)

(As Amended and Passed by the House March 26, 2013)

A BILL FOR

1 An Act authorizing alternate members of the board of parole.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. **904A.2A Board of parole —**
2 **alternate members.**

3 1. Notwithstanding sections 17A.11, 69.16, and 69.16A, the
4 board of parole shall have a pool of three alternate members
5 to substitute for board members who are disqualified or become
6 unavailable for any other reason for hearings. Each alternate
7 member shall serve a term of four years beginning and ending
8 as provided by section 69.19, except for alternate members
9 appointed to fill vacancies who shall serve for the balance of
10 the unexpired term.

11 2. A person who serves as an alternate member may later be
12 appointed to the board and may serve four years, in accordance
13 with section 904A.1. A former board of parole member may serve
14 in the pool of alternate members.

15 3. When a sufficient number of board of parole members are
16 unavailable to hear a case, the board of parole may request
17 alternate members to serve.

18 4. Notwithstanding sections 17A.11 and 904A.1:

19 a. An alternate member is deemed a member of the board
20 of parole only for the hearing panel for which the alternate
21 member serves.

22 b. At least one member of a hearing panel containing
23 alternate members shall be a member of the board.

24 c. A decision of a hearing panel containing alternate
25 members is considered a final decision of the board.

26 5. An alternate member shall not receive compensation in
27 excess of that authorized by law for a board of parole member
28 who is not the chairperson or vice chairperson of the board of
29 parole.

30 Sec. 2. Section 904A.3, Code 2013, is amended to read as
31 follows:

32 **904A.3 Appointment to board of parole.**

33 The governor shall appoint the chairperson and other members
34 of the board of parole, including alternate members, subject
35 to confirmation by the senate. The chairperson shall serve at

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1 the pleasure of the governor. Vacancies shall be filled in the
2 same manner as regular appointments are made.